

**REMARKS**

Claims 1 - 28 are pending

Claims 1, 2, 25-27 have been amended.

This present application is a continuation of Application Serial No. 09/444,368. In the parent application, Claims 1 – 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hamalaninen et al. (U.S. Patent No. 6,477,176) (“Hamalaninen”) in view of Bruhn (U.S. Patent No. 6,347,081)(“Bruhn”).

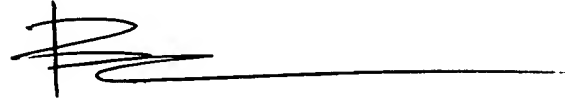
**Evidence of Common Ownership**

This present application is a continuation of Application Serial No. 09/444,368. Application No. 09/444,368 and Bruhn were, at the time of the invention of the present application, owned by, or subject to an obligation of assignment to Telefonaktiebolaget L M Ericsson, a Swedish corporation.

This present application was filed after November 29, 1999. Accordingly, Applicant urges that the subject matter of Bruhn is disqualified as prior art under 35 U.S.C. § 103(c). As indicated herein above, the claimed invention and the referenced patent (Bruhn) were commonly owned at the time the invention of the present application was made.

Accordingly, Bruhn cannot be used as a reference. Therefore, a 35 U.S.C. § 103 rejection relying on Bruhn is not proper.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Bill R. Naifeh', written over a horizontal line.

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